## Wind Energy Educational Meeting January 20, 2004 Manhattan, Kansas

#### PLANNING & ZONING ISSUES

**Presenter:** 

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#### **Local Land Use Regulations ~**

- 1. Power vested in state
- 2. Statutes authorize regulation by cities and counties
- 3. Is NOT a taking of property rights
- 4. Applies to land use, NOT to people
- 5. Must be reasonable and serve a public purpose

#### **Local Land Use Regulations ~**

- 1. Optional, not mandatory
- 2. Land used for agricultural purposes exempt
- 3. Applies to changes in the use of land
- 4. Establishes local minimum standards

#### **Local Regulatory Options ~**

- 1. No regulatory oversight at local level
- 2. Local Zoning Regulations addressing land use
- 3. Limits on degree of local regulation of land uses

Other Issues NOT subject to Local Regulatory control ~

- 1. TAXATION
- 2. Payments in lieu of taxes
- 3. Voluntary payments for any purpose

#### **Areas of Concern:**

- Land Use Impacts
- •Visual Impacts
- Noise Impacts
- •Bird, Wildlife and other Biological Resources
- •Soil Erosion and Water Quality
- Public Health and Safety
- •Solid and Hazardous Wastes
- •Socioeconomic/Public Services/Infrastructure
- •Other Regulatory Requirements (FAA)

Local regulations should be based on a Plan.

Avoid ambiguity and vagueness in local regulations.

Regulations give direction on "how" to develop.

Plan gives direction on "where" development is appropriate.

# Wabaunsee County Comprehensive Plan PLAN GOALS

#### **Land Use Goal:**

"PROVIDE OPPORTUNITY FOR THE ORDERLY AND EFFICIENT DEVELOPMENT OF LAND WHICH WILL ACHIEVE A FISCALLY SOUND AND ENVIRONMENTALLY SAFE COUNTY, WHILE MAXIMIZING COMPATIBILITY AMONG LAND USES."

# Wabaunsee County Comprehensive Plan OBJECTIVES

#### **Land Use:**

- A. Adequate facilities for new development.
- B. Development should "pay its way."
- C. Support compatible development.
- D. Support development designed to the land.
- E. Promote innovative site planning.
- F. Support timely annexation by cities.
- G. Discourage strip commercial development.

# Wabaunsee County Comprehensive Plan RECOMMENDATIONS

#### **Land Use:**

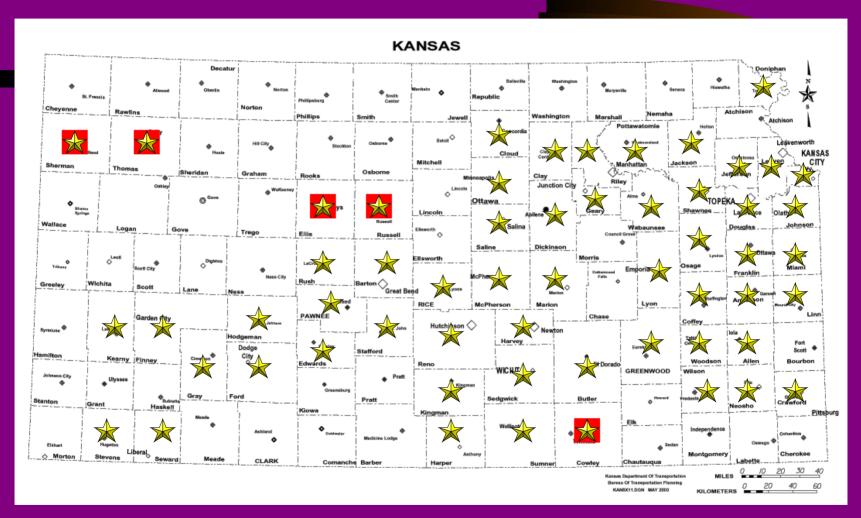
- 1. Update Land Use Regulations cost impacts.
- 2. Maintain Ag 40 acre minimum.
- 3. Consider business/industrial zoning district.
- 4. Evaluate off-site impacts of development.
- 5. Protect "natural heritage" areas of county.
- 6. Restrict "adult" businesses along I-70.

# Wabaunsee County Comprehensive Plan PLAN IMPLEMENTATION

Methods to implement plan include:

- ~ Zoning Regulations
- ~ Amendments are being developed

### **General County Zoning Status**





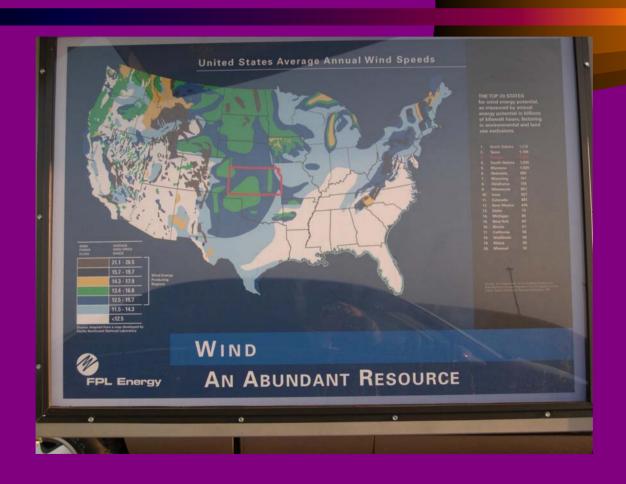




# **Gray County Facility**

Pictures of existing facility in Gray County:

























## Wind Energy Educational Meeting

# Questions?